

APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF NEVADA HERETOFORE APPROPRIATED

Date of filing in State Engineer's Office. **SEP 17 1985**

Returned to applicant for correction.

Corrected application filed. **SEP 17 1985**

The applicant **KENNETH A. & MARTHA D. BRIMMER**

5305 Casey Rd. of **Fallon**
Street and No. or P.O. Box No. City or Town

Nevada 89406 hereby make application for permission to change the
State and Zip Code No.

place of use of a portion
Point of diversion, manner of use, and/or place of use

of water heretofore appropriated under **Truckee-Carson Irrigation District**
(Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and

No. **561-1-E, 563-1-F, 586, United States of America v. Orr Water Ditch Co.**
Identify right in Decree.)

in Equity No. **A-3** Claim No. **3; United States of America v. Alpine Land & Reservoir Co. D.C. No. D-183 BRT**

1. The source of water is **Truckee River & Carson River**
Name of stream, lake, underground spring or other source.

2. The amount of water to be changed **18.54 acre feet**
Second feet, acre feet. One second foot equals 448.83 gallons per minute.

3. The water to be used for **as decreed**
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.

4. The water heretofore permitted for **as decreed**
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.

5. The water is to be diverted at the following point **Lahontan Dam being within the**
Describe as being within a 40-acre subdivision of public survey and by course and
SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 33, Township 19 North, Range 26 East, M.D.B. & M.
distance to a section corner. If on unsurveyed land, it should be stated.

6. The existing permitted point of diversion is located within **no change**
If point of diversion is not changed, do not answer.

7. Proposed place of use **4.12 ac. SW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 32, Township 19 North,**
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.
Range 28 East, M.D.B. & M.

8. Existing place of use **1.25 ac. NE $\frac{1}{4}$ NW $\frac{1}{4}$, 1.98 ac. SW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 28, Township 19 North, Range 28 East, M.D.B. & M. and .69 ac. SW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 32, Township 19 North, Range 28 East, M.D.B. & M., and .20 ac. SW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 31, Township 19 North, Range 29 East, M.D.B. & M.**
Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or manner of use of irrigation permit, describe acreage to be removed from irrigation.

9. Use will be from **as decreed** to **as decreed** of each year.
Month and Day Month and Day

10. Use was permitted from **as decreed** to **as decreed** of each year.
Month and Day Month and Day

11. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) **dam, canal & ditches**
State manner in which water is to be diverted, i.e. diversion structure, ditches,

pipes and flumes, or drilled well, etc.

12. Estimated cost of works **complete**

13. Estimated time required to construct works **complete**

14. Estimated time required to complete the application of water to beneficial use 2 years

15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

Water will be delivered to the proposed place of use via the "AA"

Line Canal

s/ Kenneth A. Brimmer

By Truckee-Carson Irrigation District
P.O. Box 1356
Fallon, NV 89406

Compared jm/se pm/se

Protested 10/21/85 by The Pyramid Lake Paiute Tribe of Indians

Pro. overruled 6/2/88,

Ruling No. 3528

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the place of use of the waters of the Truckee and Carson Rivers as set forth under the Newlands Reclamation Project rights in the Truckee and Carson River final decrees is issued subject to the terms and conditions imposed in said decrees and with the understanding that no other rights on the source will be affected by the change proposed herein. This permit is also issued subject to the State Engineer's Ruling No. 3528 dated June 2, 1988.

The duty under this permit is further conditioned upon possible modification by the United States District Court of Nevada by and through pending litigation.

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 18.34 acre cubic feet per second, as decreed.

Work must be prosecuted with reasonable diligence and be completed on or before June 2, 1990

Proof of completion of work shall be filed before July 2, 1990

Application of water to beneficial use shall be made on or before June 2, 1992

Proof of the application of water to beneficial use shall be filed on or before July 2, 1992

Map in support of proof of beneficial use shall be filed on or before July 2, 1992

Completion of work filed JUN 7 1990 IN TESTIMONY WHEREOF, I PETER G. MORROS,

Proof of beneficial use filed State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 2nd day of June

Cultural map filed

Certificate No. Issued

2407 (Rev. 6-81)

See Supplemental Ruling
On Remand #3278; 2/8/91

A.D. 19 88

Peter G. Morros
State Engineer